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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re ATM FEE ANTITRUST LITIGATION

Case No. C 04 2676 CRB

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING BRIEFING
SCHEDULE FOR DEFENDANTS'
MOTIONS FOR SUMMARY JUDGMENT
ON PLAINTIFFS' PER SE CLAIM**

Date: October 5, 2007
Time: 10:00 AM
Courtroom: 8
The Honorable Charles R. Breyer

Relates to All Actions

728179.1

STIPULATION AND ~~PROPOSED~~ ORDER

WHEREAS, the parties have agreed to the following schedule for Defendants' Motions for Summary Judgment on Plaintiffs' Per Se Claim:

September 14, 2007: Deadline for plaintiffs to identify in writing that additional discovery of which they are reasonably aware, other than the depositions of Defendants' summary judgment declarants, that Plaintiffs believe is necessary for them to file substantive responses to the motions.

November 16, 2007: Deadline for Defendants to produce their summary judgment declarants who are employees of defendants or retained experts for deposition.

December 14, 2007: Deadline for Plaintiffs to file substantive responses to the outstanding summary judgment motions. In addition to filing substantive responses, Plaintiffs reserve the right to file Rule 56(f) papers.

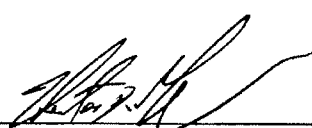
January 25, 2008: Deadline for Plaintiffs to produce their experts for deposition.

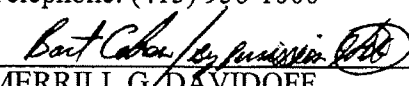
February 8, 2008: Deadline for Defendants to file their reply in support of their motions for summary judgment.

IT IS SO STIPULATED.

Dated: September 12, 2007

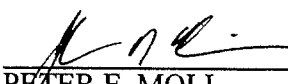
The new hearing date on Defendants' Motion for Summary Judgment on Plaintiffs' Per Se Claim shall be Friday, Feb. 29, 2008 at 2:30 p.m.


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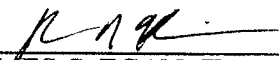
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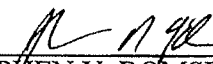
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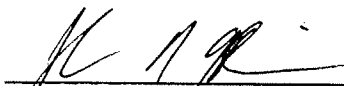
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IT IS SO ORDERED.

Dated: 09/21, 2007

Charles R. Breyer
United States District Judge

